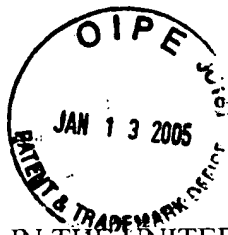


1117.69877




PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Akito Hara  
Serial No.: 10/790,875  
Conf. No.: 4718  
Filed: 3/2/2004  
For: SEMICONDUCTOR DEVICE  
AND METHOD OF  
FABRICATING THE SAME  
Art Unit: 2811  
Examiner: Nguyen, Cuong Quang

*I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.*

10 Jan 05   
Date Registration No. 29,367  
Attorney for Applicant(s)

TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-150

Sir:

**(X) Enclosed is a Response to Election/Restriction Requirement.**

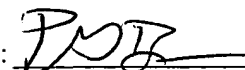
**(X)** If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely and does not separately accompany this transmittal, Applicant(s) hereby petition(s) under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely.

**(X)** The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

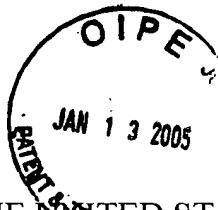
Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

300 South Wacker Drive – Suite 2500  
Chicago, Illinois 60606  
Telephone: (312) 360-0080  
Facsimile: (312) 360-9315  
Customer Number 24978

By:   
Patrick G. Burns, Registration No. 29,367

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Date

  
Registration No. 29,367  
Attorney for Applicant(s)

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the election/restriction requirement mailed December 14, 2004, applicant elects Group I, claims 1-11, without traverse. Accordingly, please cancel nonelected claims 12-23, without prejudice. A listing of claims is as follows: